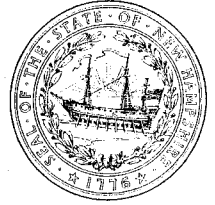




Thomas Veers
371 Catamount Road
Northwood, NH 03261

The State of New Hampshire
Department of Environmental Services

Michael P. Nolin
Commissioner



LETTER OF DEFICIENCY
WMB-BWQ-2004-03
October 4, 2004

File: 1270, Jenness Pond, Northwood, Veers

Dear Mr. Veers:

On July 23, July 27, September 2, September 7, and September 9, 2004, personnel from the Department of Environmental Services (DES) conducted an inspection of your property at 371 Catamount Road, Northwood, NH, more specifically identified on Northwood Tax Map 104, Lot 6 ('the property'). The purpose of these inspections was to determine compliance with RSA 485-A:8, NH Administrative Rules Ws 1700 *et seq.*

Based on the inspections the following deficiencies were identified:

- a. A sediment delta is located in the pond adjacent to the stormwater discharge culvert under Catamount Road. The culvert facilitates the flow of stormwater runoff from your property and driveway under Catamount Road and into Jenness Pond. As of July 23, 2004, the sediment delta had impacted approximately 200 square feet of pond bottom.
- b. A sediment plume in Jenness Pond, extending more than 10 ft. from the stormwater discharge culvert, located under Catamount Road (State route 107) on July 27, 2004. The results of sample analyses and station locations are provided below:

Station ID	Station Description	Nephelometric Turbidity Unit (NTU)
1270-PS001	Property Runoff from driveway	337.0
1270-PS003	Jenness Pond outside of property discharge influence area	0.8
1270-PS004	Jenness Pond at property discharge influence area	27.3

- c. A sediment plume in Jenness Pond, extending more than 10 ft. from the stormwater discharge culvert, located under Catamount Road (State Route 107) on September 9, 2004. The results of the water analyses and station location are provided below:

Station ID	Station Description	Nephelometric Turbidity Unit (NTU)
1270-PS001	Property Runoff from driveway	426.0
1270-PS002	Culvert discharge to Jenness Pond	239.0
1270-PS003	Jenness Pond outside of property discharge influence area	0.7
1270-PS004	Jenness Pond at property discharge influence area	2.8

The background turbidity level for Jenness Pond was 0.8 NTUs on July 27, 2004 and 0.7 NTUs on September 9, 2004. The deposition of sediment resulting in turbidity and benthic deposits to a Class B waterbody is a violation of the following surface water quality standards:

1. General Water Quality Criteria [Env-Ws 1703.03] which states that all surface waters shall be free from substances in kind or quantity which settle to form harmful deposits.
2. Benthic Deposits [Env-Ws 1703.08] which states that Class B waters shall contain no benthic deposits that have a detrimental impact on the benthic (lake bottom) community.
3. Turbidity [Env-Ws 1703.11] which states that Class B waters shall not exceed the naturally occurring conditions by more than 10 NTUs.

You are responsible for avoiding future violations of water quality standards. Compliance with the cited deficiency can be achieved by conducting the following remedial actions:

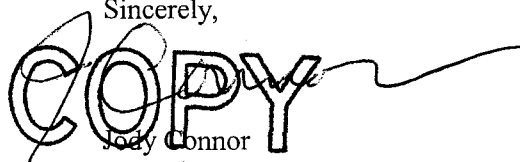
1. Properly install temporary erosion control measures to prevent eroded material from discharging to Jenness Pond. DES recommends that the erosion control be installed or inspected by an erosion control professional and maintained until a permanent solution preventing further erosion has been achieved. Please notify the DES Watershed Management Bureau within 24 hours of properly installing the temporary erosion control.
2. Properly maintain temporary erosion control measures to prevent eroded material from discharging to Jenness Pond. DES recommends that the erosion control be inspected and maintained by an erosion control professional following every stormwater runoff event until a permanent solution preventing further erosion has been achieved.
3. Hire a professional to design a remedy, preventing further land erosion at the property into Jenness Pond and further violations of State Water Quality Standards.
4. Submit specific construction timetable and workplan for the driveway. This should include details on contractor(s) availability, parts order and delivery dates, preliminary site work/assembly, construction, site work/erosion control, final grading, and final driveway/ property stabilization.

Compliance with the cited deficiencies can be achieved by proper installation of erosion control measures to avoid violations of State Water Quality Standards.

In addition, a report that includes design plans outlining how compliance has been and will be achieved according to the outlined remedial action should be submitted to DES within 30 calendar days from receipt of this letter. In the event that appropriate actions are not taken, DES may order you to take remedial measures as may be necessary. Failure to comply with RSA 485-A:8 will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. In addition, DES personnel may conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with the applicable statute.

Please be assured that DES appreciates your willingness to cooperate to remedy the water quality impacts. I am confident that we can find a solution to the storm water and water quality concerns. If you have any questions, please contact Andy Chapman at 603-271-5334 or achapman@des.state.nh.us.

Sincerely,


Jody Connor
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7804

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cc: ✓ Gretchen R. Hamel, Legal Unit Administrator, DES
Dave Hickey, Northwood Road Agent
DES Watershed Management Bureau File (#1270)